DATE: 05/21/2007



1375 EAST NINTH STREET
ONE CLEVELAND CENTER
NINTH FLOOR

16.623.0134 FAX

ENTRAL FAX CENTER ELAND, OH 44114

A LEGAL PROFESSIONAL ASSOCIATION

FACSIMILE TRANSMISSION COVER SHEET

PAGES (INCLUDING COVER PAGE):

Examiner Laura Beth Freedman

To: Art Unit 3616 FAX: 571.273.8300

FROM: James C. Scott CLIENT MATTER: 109770.0018

We are transmitting from facsimile equipment, which will automatically connect transmissions to Roetzel & Andress twenty-four hours a day. If problems arise during transmission, please contact the operator at the office number listed above. Thank you.

NOTE: Unless otherwise indicated, the information contained in this facsimile transmission is confidential information intended for the use of the individual or entity named above. The information contained in this transmission may also be attorney-client privileged and/or protected as attorney work product. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is confidential or otherwise privileged, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service at our expense. Thank you.

COMMENTS:

Dear Examiner Freedman,

Please see the attached cover letter and enclosures.

Thank you.

294916.109770.0018

CLEVELAND

TOLEDO

AKRON

COLUMBUS

CINCINNATI

WASHINGTON, D.C.

TALLAHASSEE

FORT MYERS

NAPLES

www.ralaw.com

RECEIVED CENTRAL FAX CENTER MAY 2 1 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Appln. No.

10/692,217

Applicant(s)

Peter J. Ulintz

Filed

October 23, 2003

T.C./A.U

3616

Examiner

Laura B. Freedman

Docket No.

109770.0018

VIA FACSIMILE (571) 273-8300

Mail Stop APPEAL BRIEF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence (along with any other paper referred to as being attached or enclosed) is being faxed to Examiner Freedman at (571) 273-8300 on the date below.

Name: Jennifer C. Safranek

Signature:_

Date: May 21, 2007

RESPONSE TO NOTICE OF ABANDONMENT

Dear Examiner Freedman,

Per a telephone conversation with Examiner Paul Dickson on May 21, 2007, attached is a copy of our Appeal Brief which we faxed to the Patent Office on November 21, 2006. Along with a copy of the filed Brief is our fax notification which we received immediately after faxing the Appeal Brief stating that the facsimile was sent.

Please enter the Appeal Brief as filed and change the status of the application as pending.

Respectfully submitted,

ROETZEL & ANDRESS

MAY 21, 2007

Date

James C. Scott
Reg. No. 35,351
1375 E. 9th Street
One Cleveland Center, 9th Floor
Cleveland, Ohio 44114
(216) 623-0150 (reception)
(216) 623-0134 (facsimile)

Safranek, Jennifer

FAX NOTIFICATION (Cleveland Fax Notification Gateway) [Cleveland.Fax@ralaw.com] From:

Sent: Tuesday, November 21, 2006 3:07 PM

To: Safranek, Jennifer

Subject: Delivered: Fax from HP 9100C

Your fax was sent successfully to 1.571.273.0053 @ 1.571.273.0053

15 pages were sent with 0 redial attempts Off-hook time was 05:35



×





1375 EAST NINTH STREET ONE CLEVELAND CENTER NINTH FLOOR CLEVELAND, OH 44114 216.623.0150 MAIN 216.623.0134 FAX

DATE:	11/21/2006	21/2006 PAGES (INCLUDING COVER PAGE): 15		
то:	APPEAL BRIEF	FAX: 571.273.005	FAX: 571.273.0053	
FROM:	James C. Scott	CLIENT MATTER:	109770.0018	

We are transmitting from facsimile equipment, which will automatically connect transmissions to Roetzel & Andress twenty-four hours a day. If problems arise during transmission, please contact the operator at the office number listed above. Thank you.

NOTE: Unless otherwise indicated, the information contained in this facsimile transmission is confidential information intended for the use of the individual or entity named above. The information contained in this transmission may also be attorney-client privileged and/or protected as attorney work product. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is confidential or otherwise privileged, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service at our expense. Thank you.

COMMENTS:

Dear Sirs,

Please see the attached Appeal Brief.

Thank you.

294916.109770.0018

CLEVELAND

TOLEDO

AKRON

COLUMBUS

CINCINNATI

WASHINGTON, D.C.

TALLAHASSEE

FORT MYERS

Naples